

REMARKS

In the July 26, 2007 Office Action, all of the claims, 1-11, stand rejected in view of prior art. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the July 26, 2007 Office Action, Applicants have amended independent claims 1 and 9 to define the claims from the prior art. Further, Applicants have amended the claims to clarify them and to correct form and/or grammatical errors, and have added claims 12-14. Applicants wish to thank the Examiner for the examination of this application. Thus, claims 1-14 are pending, with claims 1 and 9 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Interview Summary

On October 12, 2007, the undersigned conducted a personal interview with Supervisory Examiner Moe and Examiner Dicker, who is in charge of the above-identified patent application. Applicants wish to thank Examiner Moe and Examiner Dicker for the opportunity to discuss the above-identified patent application during the Interview of October 12, 2007.

Rejections - 35 U.S.C. § 102

In item 2 of the Office Action, claims 1-7 and 9 stand rejected under 35 U.S.C. §102(b) as being anticipated by Japanese Laid-Open Patent Publication No. 09-284462 (Tamotsu). In response, Applicants respectfully have amended claims 1 and 9 to define clearly the claims over the prior art.

In particular, independent claims 1 and 9 now recite that transmittee data are data identifying the transmittee and the corresponding one or plurality of devices, and image data

are generated from a scanned image of an original document or generated by a computer. Further, claims 1 and 9 also have been amended to recite that the image transmission device is connected to an external stand-alone transmission data management computer that is different from the one or plurality of devices, and that the second transmission unit transmits the transmitted image data and the transmittee data, which is attached to the image data to the external stand-alone transmission data management computer. Thus, Applicants respectfully assert that claims 1 and 9 now recite that the image transmission device transmits image data to one or a plurality of transmittee devices, and transmits the image data and transmittee data to an external stand-alone transmission data management computer.

In the Office Action, the transmission data management computer is identified as the personal computer 21 disclosed by Tamotsu. Applicants respectfully assert that in paragraph [0030] of the machine translation of Tamotsu states, "The transmitting data directory 12 is a field stored in case facsimile transmission of the image data transmitted from the personal computer 21 is carried out to other facsimile apparatus 31 through a public line 30. The receiving data directory 13 is a field which stores the image data to the personal computer 21 which carried out facsimile reception from other facsimile apparatus 31 through the public line 30."

Applicant respectfully asserts that paragraph [0030] of Tamotsu is better translated as, "The transmitted data directory 12 is the area in which the image data transmitted from a personal computer 21 are stored when the image data transmitted from the personal computer 21 are transmitted to another facsimile device 31 via the public telephone line 30. The received data directory 13 is the area that stores the image data that are for the personal computer 21 and are received from the other facsimile device 31 via the public telephone line 30."

Applicant respectfully asserts that regardless of which translation is used, Tamotsu fails to disclose or to suggest transmitting image data to a device and transmitting said image data and transmittee data to an external stand-alone computer different from said device.

Further, Applicants respectfully assert that the disclosure of Tamotsu teaches away from this feature because Tamotsu teaches storing data in the directory 16 and not transmitting it a stand-alone computer. Specifically, it is stated in paragraph [0032] of the machine translation of Tamotsu that “the integral hard disk 16 ... memorizes the document of facsimile transmission and facsimile reception.” Referring to Figure 1 of Tamotsu, Applicants respectfully assert that the transmitted data area 12 and the directory 13 are part of the hard disk 16 and not part of the computer 21. Thus, Applicant respectfully and further asserts that the received data area or directory 13 of Tamotsu, which is indicated in the Office Action as corresponding to the second transmission unit of claims 1 and 9 of the present application, is an area that stores the image data received from the facsimile device 31 and differs from the second transmission unit of claims 1 and 9 of the present application because it does not transmit image data as recited.

Applicants respectfully assert that this structure is *not* disclosed or suggested by Tamotsu or any other prior art of record. It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each and every element of the claim within the reference. Therefore, Applicants respectfully submit that claims 1 and 9, as now amended, are not anticipated by the prior art of record. Withdrawal of these rejections is respectfully requested.

Moreover, Applicants believe that the dependent 2-7 are also allowable over the prior art of record in that they depend from independent claim 1, and therefore are allowable for the reasons stated above. Also, the dependent claims 2-7 are further allowable because they

include additional limitations. Thus, Applicants believe that since the prior art of record does not anticipate the independent claim 1, neither does the prior art anticipate the dependent claims.

Applicants respectfully request withdrawal of the rejections.

Rejections - 35 U.S.C. § 103

In item 4 of the Office Action, claims 8, 10, and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Japanese Laid-Open Patent Publication No. 09-284462 (Tamotsu) in view of U.S. Patent No. 6,292,267 (Mori et al.). In response, Applicants have amended claims 1 and 9 as mentioned above.

Applicants respectfully assert that Tamotsu does not disclose or suggest the image transmission device of claims 1 and 9 for the reasons mentioned above. Further, Applicants respectfully assert that Mori et al. are cited to show an image transmission device wherein a transmission device transmits image data along with transmitter and transmittee data to the transmission data management computer, and do not overcome the deficiencies of Tamotsu listed above.

Applicants respectfully assert that this arrangement is not disclosed or suggested by the prior art of record. It is well settled in U.S. patent law that the mere fact that the prior art can be modified does not make the modification obvious, unless the prior art suggests the desirability of the modification. Accordingly, the prior art of record lacks any suggestion or expectation of success for combining the patents to create the Applicants' unique arrangement of an image transmission device.

Moreover, Applicants believe that dependent claims 8, 10, and 11 are also allowable over the prior art of record in that they depend from independent claims 1 and 9, and therefore are allowable for the reasons stated above. Also, the dependent claims are further

allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not disclose or suggest the invention as set forth in independent claims 1 and 9, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims.

Therefore, Applicants respectfully request that this rejection be withdrawn in view of the above comments and amendments.

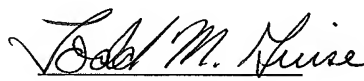
New Claims 12-14

Applicants have added new claims 12 to 14, which depends from claim 9. Applicants believe that dependent claims 12 to 14 are allowable over the prior art of record in that they depend from independent claim 9, and therefore are allowable for the reasons stated above. Also, dependent claims 12 to 14 are further allowable because they include additional limitations.

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In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-14 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,


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